



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

August 14, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: RESOLUTION OF SUMMARY VACATION
A PORTION OF LAS FLORES CANYON ROAD
220 FEET SOUTH OF CULVERT MARKER 2.04 - MALIBU
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that these actions are categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that:
 - a. Pursuant to Section 8330 (a) and (b) of the California Streets and Highways Code, a portion of Las Flores Canyon Road 220 feet south of Culvert Marker 2.04 has been superseded by relocation of the road right of way, will not cut off access to another person's property, and will not terminate a public service easement.
 - b. Pursuant to Section 8334 (a) and (b) of the California Streets and Highways Code, the portion of Las Flores Canyon Road 220 feet south of Culvert Marker 2.04 is excess right of way not required for street or highway purposes, and lies within property under one ownership that does not continue through such ownership or end touching property of another.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

- c. Pursuant to Section 892 of the California Streets and Highways Code, the portion of Las Flores Canyon Road 220 feet south of Culvert Marker 2.04 is not useful as a nonmotorized transportation facility.

3. Adopt the Resolution of Summary Vacation.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to vacate the portion of Las Flores Canyon Road 220 feet south of Culvert Marker 2.04 (Easement) since it no longer serves the purpose for which it was dedicated and is not required for public access or transportation.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal No. 4) and Community Services (Goal No. 6). The vacation of the Easement will result in added revenue through property taxes and will allow for the right of way negotiations for construction of needed road repairs on Las Flores Canyon Road to provide a safer road and improve the quality of life for residents traveling this road.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation processing fee was waived since this action is a result of a County-initiated road repair project. The waiver of the fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (f) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1,961 square feet and is shown on the map attached to the Resolution. The road right of way to be dedicated to the County for public road and highway purposes has an area of approximately 1,794 square feet.

The California Streets and Highways Code Section 8330 provides "(a) The legislative body of a local agency may summarily vacate a street or highway that has been superseded by relocation. (b) A street or highway shall not be summarily vacated pursuant to this section if vacation would do either of the following: (1) Cut off all access to a person's property which, prior to relocation, adjoined the street or highway. (2) Terminate a public service easement, unless the easement satisfies the requirements of Section 8333."

The vacation of the Easement will have no impact on traffic circulation and will not cut off access to adjacent properties or negatively impact the surrounding properties. No existing utility easements will be affected by the proposed vacation.

The California Streets and Highways Code Section 8334 provides, "The legislative body of a local agency may summarily vacate any of the following: (a) An excess right-of-way of a street or highway not required for street or highway purposes. (b) A portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another."

The County's interest was acquired by dedication in deed recorded on July 13, 1922, in Book 1266, page 179, of Official Records, on file in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for public road and highway purposes.

The proposed vacation is conditioned upon the underlying fee owner dedicating right of way for public road and highway purposes and granting temporary construction permits for the construction of a retaining wall as part of the repairs for Las Flores Canyon Road damaged during the 2005 storm season. These conditions must be met to the satisfaction of the Department of Public Works within 30 calendar days of the date this Resolution is adopted by the Board of Supervisors or the abandonment of the Easement will terminate and become null and void.

Adoption of the attached Resolution and the subsequent recordation, when the conditions have been satisfied, will terminate the County's right and interest in the Easement. Your action will result in the property being unencumbered of the Easement, thereby allowing the underlying fee owner to exercise its reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

These actions are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Sections 15304, 15305, and 15321 of the State CEQA Guidelines.

The Honorable Board of Supervisors
August 14, 2007
Page 4

IMPACT ON CURRENT SERVICES OR (PROJECTS)

These actions will allow for additional property taxes through elimination of the Easement and for the right of way negotiations for needed road repairs to Las Flores Canyon Road to proceed.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the Resolution to the Department of Public Works, Mapping & Property Management Division. Retain one original for your files.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'WTF' followed by a stylized flourish.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DLW
PP:lv

Attachments (2)

c: County Counsel

3

**RESOLUTION OF SUMMARY VACATION
A PORTION OF LAS FLORES CANYON ROAD 220 FEET SOUTH
OF CULVERT MARKER 2.04
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for public road and highway purposes (hereinafter referred to as the Easement) in, over, and across the real properties legally described in Exhibit A, and depicted on Exhibit B, both attached hereto. The Easement, 220 feet south of culvert marker 2.04, is generally located in the vicinity of Malibu in the County of Los Angeles State of California.
2. JT Wise Capital, LLC, (hereafter referred to as the Fee Owner) is the underlying Fee Owner of the affected Lots 1 and 2 of Tract No. 2462 and the portion of the easement proposed to be vacated as depicted on Exhibit B.
3. The easement has been superseded by relocation, will not cut off access to another person's property, and will not terminate a public service easement.
4. The easement is excess and not required for street or highway purposes, lies under one ownership, and it does not continue through such ownership or end touching property of another.
5. There are no in-place public utility facilities that are in use and would be affected by the vacation of the easement.
6. The easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the Streets and Highways Code.
7. The easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330, and subject to the conditions provided for in paragraph 8, below.
8. The vacation of the easement is conditioned upon the Fee Owner dedicating right of way for public road and highway purposes and granting temporary construction rights for the construction of a retaining wall as part of the repairs for Las Flores Canyon Road damaged during the 2005 storm season. The conditions must be met to the satisfaction of the Department of Public Works within 30 calendar days of the date this Resolution is adopted by the Board of Supervisors or the vacation and abandonment of the easement will terminate and become null and void.

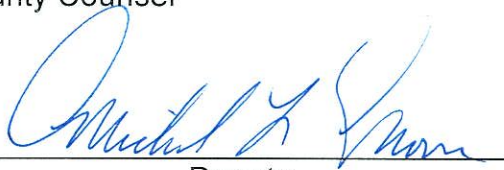
- 4
9. Upon the satisfaction of the conditions specified in paragraph 8, above, Public Works be authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the easement shall no longer constitute a public easement.
 10. From and after the date this Resolution is recorded, the easement no longer constitutes a street, highway, or public service easement.

The foregoing Resolution was on the 14TH day of AUGUST, 2007, adopted by the Board of Supervisors of the County of Los Angeles, and ex-official the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

By



Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By



Deputy



JLS:lv
M5/LasFloresCyn

EXHIBIT A

LAS FLORES CANYON ROAD

A.I.N. 4448-028-057

T.G. 629-F4

I.M. 129-077

R.D. 336

S.D. 3

M0776101

LEGAL DESCRIPTION
(Vacation of Easement)

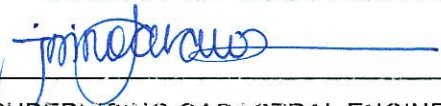
Those portions of Lots 1 and 2, Tract No. 2462, as shown on map recorded in Book 24, pages 21 through 24, inclusive, of Maps, in the office of the Registrar/Recorder/County Clerk of the County of Los Angeles, within the following described boundaries:

Commencing at the southeasterly terminus of that certain course having a bearing and distance of N. 59°01'50" W. 55.90 feet in the centerline of that 40-foot wide strip of land described in deed to the County of Los Angeles for Las Flores Canyon Road, recorded on July 13, 1922, in Book 1266, page 179, of Official Records, in the office of said Registrar-Recorder/County Clerk; thence North 59°01'50" West, along said certain course, a distance of 16.11 feet; thence South 30°58'10" West 20.00 feet to a point in the generally southwesterly sideline of said 40-foot wide strip of land, said point being the TRUE POINT OF BEGINNING, said point also being the beginning of a curve concave to the northeast and having a radius of 254.78 feet, a radial of said curve to said point bears South 30°58'10" West; thence southeasterly along said curve, through a central angle of 10°41'10", an arc distance of 47.52 feet; thence tangent to said curve South 69°43'00" East 140.51 feet to the beginning of a tangent curve concave to the southwest and having a radius of 58.13 feet; thence southeasterly along said last mentioned curve, through a central angle of 17°41'18", an arc distance of 17.95 feet to the beginning of a compound curve having a radius of 97.60 feet; thence southeasterly along said last mentioned curve, through a central angle of 15°36'22", an arc distance of 26.58 feet to said generally southwesterly sideline; thence northwesterly along said generally southwesterly sideline, and following the same in all its various courses, to the TRUE POINT OF BEGINNING.

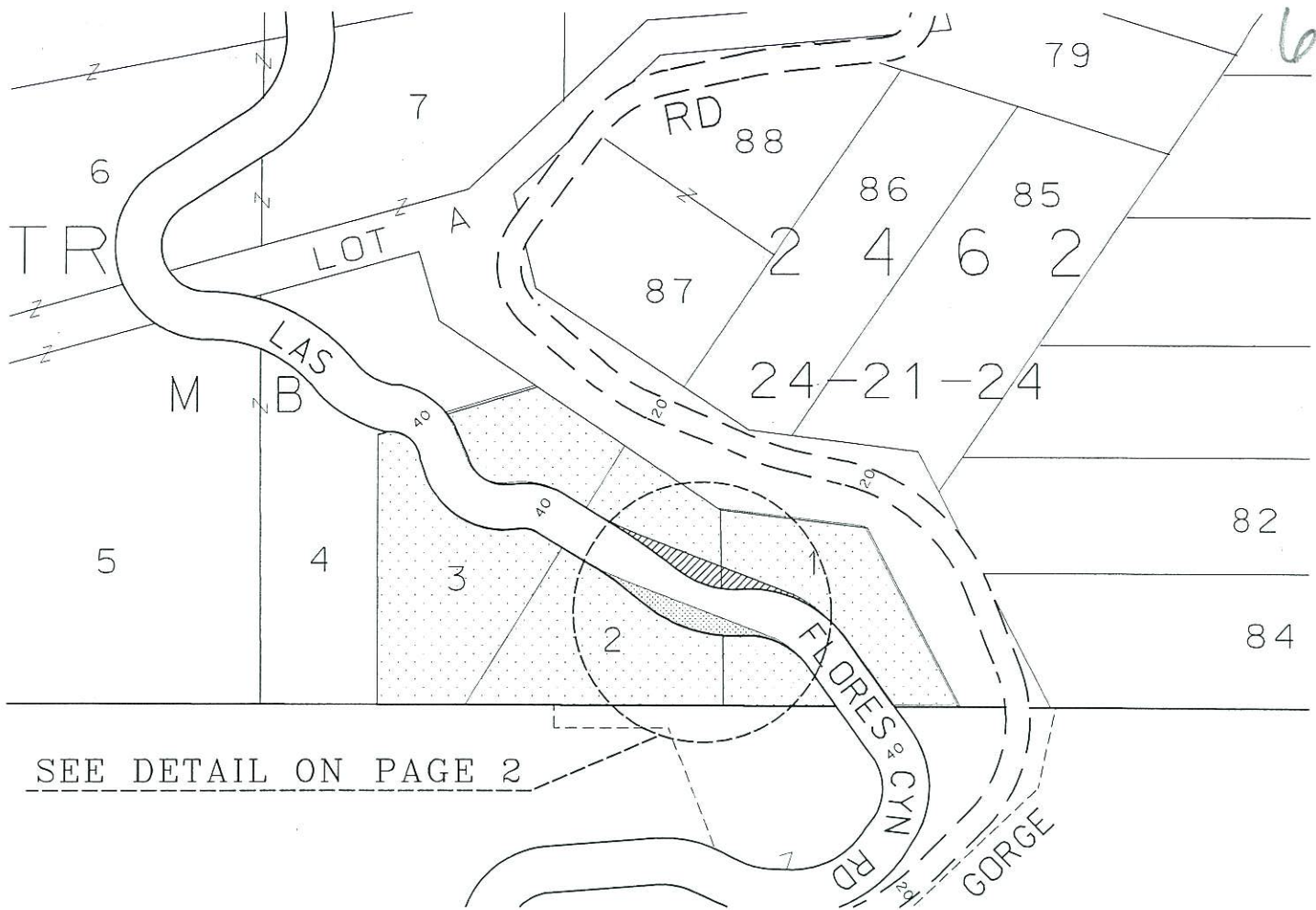
Containing: 1961± square feet.

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

RH:gp\F5:LAS FLORES CYN VACATION

APPROVED AS TO DESCRIPTION
June 20, 2007
COUNTY OF LOS ANGELES
By 
SUPERVISING CADASTRAL ENGINEER III
Mapping and Property Management Division

33 of AUG 14, 2007



SUBJECT
LOCATION

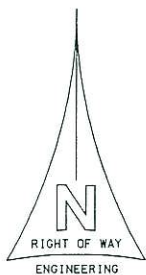


EXHIBIT B

LEGEND

-  Area to be vacated
Total Area 1,961 \pm s.f.
-  Area to be dedicated
Total Area 1,794 \pm s.f.
-  Applicant

REVISIONS

1. 2. 3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD. RD. A.I.N. T.G.
3 336 4448-028-057 629-F4

LAS FLORES CYN RD
220' S/O CULVERT
MARKER 2.04

DRAWING NO.
M0776101
Page 1 of 2

SCALE DATE I.M.
NONE 8-28-06 129-077
33 of AUG 14, 2007

PARCEL NUMBER 4448028057

LOT "A"

PARCEL NUMBER 4448028057

PARCEL NUMBER 4448028057

TPOB

Grading and Temporary Construction Area

TRACT NO 2462
MB 24 - 21 - 24

LEGEND

Area to be vacated
Total Area 1,961 ±s.f.

CURVE DATA

Curve	R	Δ	L
①	254.78'	10° 41' 10"	47.52'
②	58.13'	17° 41' 18"	17.95'
③	97.60'	15° 36' 22"	26.58'

LINE DATA

Line	Bearing	Length
①	N59° 01' 50"W	16.11'
②	S69° 43' 00"E	140.51'

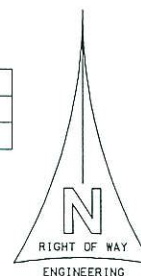


EXHIBIT B

REVISIONS

1.

2.

3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.

RD.

A.I.N.

T.G.

3

336

4448-028-057

629-F4

LAS FLORES CYN RD

DRAWING NO.

220' S/O CULVERT

M0776101

MARKER 2.04

Page 2 of 2

SCALE

DATE

I.M.

33 of AUG 14, 2007

8-28-06

129-077

This page is part of your document - DO NOT DISCARD



20071981914

Pages:
007



Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

Fee: 0.00

Tax: 0.00

Other: 0.00

Total: 0.00

08/23/07 AT 05:00PM

1090790 200708230020072 Counter

TITLE(S) : _____



L E A D S H E E T

Assessor's Identification Number (AIN)

To be completed by Examiner OR Title Company in black ink.

Number of AIN's Shown

				-					-			
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33 of AUG 14, 2007

THIS FORM IS NOT TO BE DUPLICATED

ORIGINAL

RECORDING REQUESTED BY
COUNTY OF LOS ANGELES

WHEN RECORDED MAIL TO

NAME MAPPING & PROPERTY MANAGEMENT

MAILING County of Los Angeles
ADDRESS Department of Public Works

CITY, STATE P.O. Box 1460

ZIP CODE Alhambra, Ca 91802-1460

Attention Jose L. Suarez



SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES
PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE

RESOLUTION OF SUMMARY VACATION
A PORTION OF LAS FLORES CANYON ROAD 220 FEET SOUTH
OF CULVERT MARKER 2.04
M0776101
